

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

This matter is before the Court on defendant's motion for temporary home confinement (Filing No. [68](#)) to enable him to participate in the sale of his business. A hearing was held on December 9, 2011. The Court has reviewed the evidence and reviewed defendant's prior compliance with the orders of the Court while he was on pretrial release.

In addition, the Court has been advised that defendant tested positive for the use of marijuana while incarcerated at the Douglas County Correctional Center after his release was revoked last February. Based upon this review, the Court finds that it has no assurance that defendant will comply with any terms or conditions of release pending sentencing.

The sale of his business is something that can be handled without his being released from incarceration. His attorney and his accountant can see that records are available so that the sale can be concluded, and the defendant would be available for consultation with counsel and his accountant as

they can visit him at the Douglas County Correctional Center, if necessary.

For these reasons, the Court finds that defendant's motion should be denied. Accordingly,

IT IS ORDERED that defendant's motion for temporary home confinement is denied.

DATED this 12th day of December, 2011.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court